

★ JUL 16 2018 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

LONG ISLAND OFFICE

Donald J. Guichard

110 Center Dr.

Riverhead, NY 11949
Plaintiff,

[Insert full name of plaintiff/prisoner]

10 John Does & 10 Jane Does in
their individual & official
capacities

-against-

Suffolk County Sheriff's Correctional Facility

110 Center Dr.

Riverhead, NY 11901

& a host of 10 other officers

Defendant(s).

[Insert full name(s) of defendant(s). If you need additional space, please write "see attached" and insert a separate page with the full names of the additional defendants. The names listed above must be identical to those listed in Part I]

CIVIL RIGHTS COMPLAINT

42 U.S.C. § 1983

CV18 4083

JURY DEMAND

YES ☒ NO ☐

SEYBERT, J.
SHIELDS, M.J.

RECEIVED

JUL 16 2018

EDNY PRO SE OFFICE

- I. **Parties:** (In item A below, place your name in the first blank and provide your present address and telephone number. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff Donald J. Guichard

If you are incarcerated, provide the name of the facility and address:

110 Center Drive

Riverhead, NY 11901

Prisoner ID Number: 211050

If you are not incarcerated, provide your current address:

Incarcerated

Telephone Number: _____

B. List all defendants. You must provide the full names of each defendant and the addresses at which each defendant may be served. The defendants listed here must match the defendants named in the caption on page 1.

Defendant No. 1

Sargent + Smesnick
Full Name

Sargent
Job Title

Sargent
N/A
Address

Defendant No. 2

N/A
Full Name

John Doe
Job Title

Address

Defendant No. 3

N/A
Full Name

John Doe
Job Title

They all hide their brutality

N/A
Address

Defendant No. 4

N/A John Doe
Full Name

Job Title

John Doe
Address

Defendant No. 5

N/A
Full Name

Job Title

Address

II. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 ½ by 11 sheets of paper as necessary.)

Where did the events giving rise to your claim(s) occur? Yaphank Correctional Facility South 3

When did the events happen? (include approximate time and date) On March 19 approximately 9:00 pm

4 Jane Doe

5 Jane Doe

6 Jane Doe

7 Jane Doe



Facts: (what happened?) ON March 19 2018 I was trans-
ported, ~~from~~ from Riverhead Correctional
Facility to the Yaphank Correctional Facility
I was sent to housing unit South 7 here
I was told that my bunk was number
34, I observed it was a top bunk so I
returned to housing officer & informed
him I'm almost 58 & have medical
problems that would cause me to be
unable to climb up on top of bunk &
limited mobility with right arm. He
told me fuck up get up there & I couldn't
could I sleep on the floor & the officer stated
yes, I placed a mattress on the floor &
was starting to make bed & the inmate
told me to stop that the guard might
think they were pushing up on me.
See Attached papers (Facts)

II.A. Injuries. If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

My head was smashed into dally-pert wall
my right arm that has limited mobility was
forcefully bent past its limit of mobility
both thumbs were grasp by guard using two
hands & squeezed together causing great pain
left wrist still gives me problem. When

I was brought to medical nurse asked why did I
punch wall. I stated I didn't. Took 3 doses
of my own given crusher until 7 week later.

III. Relief: State what relief you are seeking if you prevail on your complaint.

Medical he been on crusher since
& was only supposed to have them for 2 week
it's been & no follow up care. Have
difficulty raising my head on an upward angle
head & vision shake & fear of falling down
need spinal operation. Also seek monetary
damage, & changes in the way prisoners are handled

I declare under penalty of perjury that on 7/12/2018, I delivered this
(date)
complaint to prison authorities at Yaphank Correctional Facility to be mailed to the United
(name of prison)
States District Court for the Eastern District of New York.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 7/12/2018

Don P. Grechard
Signature of Plaintiff

Yaphank Correctional Facility
Name of Prison Facility or Address if not incarcerated

110 Center St.

Riverhead, NY 11901

Address

Don P. Grechard
Prisoner ID#

11.4

Injuries ~

was kicked in left leg behind knee was
forced to keep my chin in my chest while
they lifted me up & occasionally I was in
the air having my weight & pressure applied
to my wrist. Was placed in holding cell
& had head smashed into wall & blow
to my neck. This was done after I informed
officers of spine problem.

Continued of 4

FACTS

INMATE
COPY

injured right arm past its capabilities and I yelled from
the pain that I am not resisting and that I need two
hand cuffs. The officer then said "Fuck You, stop resisting"
I told him that I'm not. Then the white ^{SERT} officer slammed my
face into the plexiglass injuring my neck and forehead.
Then they hand cuffed my left hand. Both officers grabbed
my thumbs and beat them back to my forearm and lifted
me off the ground as we walked with both hands making it
a struggle for me to walk. I yelled in excruciating pain
since the way that they lifted my body weight using my thumbs
for leverage and pulling my wrist up towards my shoulder
blades. This is a banned maneuver by the Geneva conventions
and I was thrown into a cell head first and told to kneel
on the bench. The white officer then said "quit resisting" and
slammed my head on to the wall when he took my ^{left} cuff off
he put my left arm above my head and said "quit resisting", I
stated that I am suffering from paralysis. The same problem
happened with my right arm but since it was slower they
punched me in my lower back kidney area. Then they left.
When I regained my composure I stated to a Sergeant that
"I need medical attention". I was brought to medical where
the doctor asked me to explain why I punched a wall; I
stated that I had not but that those officers had beat me.
Then the white ^{SERT} officer yelled to me to "Shut the fuck up" on
several occasions. I asked ~~for~~ to be sent out to the
hospital for an "MRI" and I was denied and told that I
could not even get an x-ray till Wednesday ^{or} Thursday.
They gave me two ineffective motrin pills. Then I was placed

FACTS

INMATE
COPY

SHERIFF'S OFFICE

2018 MAR 26 AM 01

me causing the dorm to get a "Shakedown". So I went back to the officer and informed him about how the other inmates felt that the officer will think that they were causing me problems. The officer then ordered me to get in the top bunk, so I ~~told him~~ respectfully told him that I am unable to climb to the top bunk today tomorrow or ever. Please refer to audio-video tape because I was standing right under the camera. I never raised my voice or cursed ever and I thought me and him had a very good relationship, but he exploded and demanded my property. I had two full plastic bags full of property and the officer reduced all my belongings to a one-third size. The officer opened a tied bag of toiletries and broke the lid off the Shampoo bottle and ^{mouth} and mouthwash poured Shampoo all over my clothes, bedding, legal notes and legal court documents. He threw out my bible and books / novels / magazine. It is a Federal violation to throw someone's bible away. Then I was ordered to go in the Sally port and to put both of my arm up on the wall. After a few moments I was grimacing in pain due to my previous medical issues. Due to the pain I put my right arm down and I glanced at the officer and at no time did I make any hand gestures or any verbal contact ~~with~~ ^{to} him. Then the Suffolk Emergency Response Team (SERT) officers came in. The black officer stated "Yea, it's you!" and turned my

FACTS

INITIALS
COPY

bedding,
In a holding cell. They removed all blankets and
covers from the cell and told me to sleep on the
cold cement. Please see the video. At a later time
I was moved to "A-Pool". The black Sgt officer
was being racist by calling me a "piece of white
dog shit" in a threatening manner.

Respectfully
Don't Gordon 211050
110 Center Drive
Beverly Hills, CA 91601

11901
MAR 26 A 10:01
SHERIFF'S OFFICE